

## REMARKS

Claims 16-19, 22-25 and 27-29 are pending in the present application after cancellation of claim 20. Applicants respectfully request reconsideration of the pending claims.

Claims 16-20, 22-25 and 27-29 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,911,773 ("Mutsuga"). Claim 25 has been amended to incorporate the features of now-canceled claim 20. Applicants respectfully submit that the rejection should be withdrawn for at least the following reasons.

To anticipate a claim under 35 U.S.C. § 102(b), the Office must demonstrate that each and every claim limitation is *identically disclosed* in a single prior art reference. (See Scripps Clinic & Research Foundation v. Genentech, Inc., 18 U.S.P.Q.2d 1001, 1010 (Fed. Cir. 1991)). "The identical invention must be shown in as complete detail as is contained in the claim." M.P.E.P. § 2131. If any claimed element is absent from a prior art reference, it cannot anticipate the claim. See Rowe v. Dror, 112 F.3d 473, 478 (Fed. Cir. 1997). To the extent that the Examiner may be relying on the doctrine of inherent disclosure to support the anticipation rejection, the Examiner must provide a "basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristics necessarily flow from the teachings of the applied art." (See M.P.E.P. § 2112; emphasis in original; see also Ex parte Levy, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990))

Amended claim 25 recites, in relevant parts, "a reproducing device configured to reproduce the calculated first route and the at least one second route for selection by a user; a communications unit configured to receive information regarding traffic disruptions on the calculated first route and the at least one second route, the reproducing device configured to reproduce the information regarding the traffic disruptions; and an input device configured to enable the user to input data to manipulate or change at least one of the reproduced first and second routes, the manipulated or altered routes being selectable by the user for route guidance."

With respect to the features previously recited in claim 20, i.e., "an input device configured to enable the user to input data to manipulate or change at least one of the reproduced first and second routes, the manipulated or altered routes being selectable by the user for route guidance," the Examiner has merely stated that "the navigation system disclosed by Mutsuga et al. further include an input mean unit (11) for weighting at least one route criteria." (See, e.g.,

Final Office Action of 4/14/06). However, it should be readily apparent to a casual observer that the "input mean unit (11) for weighting at least one route criteria" allegedly disclosed in Mutsuga has nothing to do with the claimed "an input device configured to enable the user to input data to manipulate or change at least one of the reproduced first and second routes, the manipulated or altered routes being selectable by the user for route guidance," and therefore there is no reasonable basis to contend that the disclosure of Mutsuga teaches this feature of claim 25.

For at least the foregoing reasons, Applicants respectfully submit that claim 25 and its dependent claims 16-19, 22-24 and 27-29 are not anticipated by Mutsuga.

### CONCLUSION

In light of the foregoing, Applicants respectfully submit that all of the pending claims 16-19, 22-25 and 27-29 are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

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 (R. NO. 35,952)

Dated: November 21, 2008

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